

**SEVENTY-SEVENTH DAY**

(Thursday, May 31, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Hudson	Wagonseller
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

**Absent—Excused**

McDonald                  Vick

A quorum was announced present.

The Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Vick was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senator McDonald was granted leave of absence for today on account of important business on motion of Senator Bullock.

**Messages From the Governor**

The following message, received from the Governor, was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,  
May 29, 1951.

To the Senate of the Fifty-second Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Chief Justice of the Court of Civil Appeals, Second Supreme Judicial District, to fill the unexpired term of Judge Atwood McDonald, resigned, effective June 1, 1951:

Earl P. Hall of Henrietta, Clay County.

To be Associate Justice of the Court of Civil Appeals, Second District, to fill unexpired term of Judge Earl P. Hall:

Thomas J. Renfro of Fort Worth, Tarrant County.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

The President laid before the Senate and directed the Secretary to read the following message received from the Governor today:

Austin, Texas,  
May 30, 1951.

To the Members of the Fifty-second Legislature:

I am vetoing and returning herewith Senate Concurrent Resolution No. 63, which attempts to recall Senate Bill No. 414. S. B. 414 was vetoed May 18, 1951, ten days after being received in my office; S. C. R. No. 63 was not received in my office until May 23, 1951.

I am vetoing and returning herewith House Concurrent Resolution No. 138, which attempts to recall House Bill No. 717. H. B. 717 was vetoed May 18, 1951, ten days after being received in my office; H. C. R. No. 138 was not received in my office until May 23, 1951.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

**Reports of Standing Committees**

Senator Phillips submitted the following report:

Austin, Texas,  
May 30, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 219, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

PHILLIPS, Chairman

**Senate Resolution 293**

Senator Colson offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Senior Class of the Normangee High School, Normangee, Texas, accompanied by their sponsors, Mr. and Mrs. A. L. Lagravie and Mr. Herman Poteet; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

**Senate Bill 201 With House Amendments**

Senator Hazlewood called S. B. No. 201 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hazlewood moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Lock
Ashley	Martin
Bell	Moffett
Bullock	Moore
Carney	Parkhouse
Carter	Phillips
Colson	Russell
Corbin	Shofner
Fuller	Strauss
Hazlewood	Tynan
Hudson	Wagonseller
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

**Nays—1**

Bracewell

**Absent**

Hardeman	Nokes
Lane	

**Absent—Excused**

McDonald	Vick
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**House Concurrent Resolution 69**

On motion of Senator Kelly of Tarrant, and by unanimous consent, the President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 69, Directing the Texas Legislative Council to study the tax structure of this State.

The resolution was read and was adopted.

**Senate Concurrent Resolution 73**

Senator Russell offered the following resolution:

S. C. R. No. 73, Recalling S. B. No. 409 from the Governor for further consideration.

Whereas, Senate Bill No. 409 has passed the Senate and House and is now on the Governor's desk; and

Whereas, The Legislature desires to further consider the provisions of said bill; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Governor be requested to return Senate Bill No. 409 to the Senate.

The resolution was read.

On motion of Senator Russell and by unanimous consent the resolution was considered immediately and was adopted.

**House Concurrent Resolution 146**

On motion of Senator Hudson, and by unanimous consent, the President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 146, Granting the Southwestern Bell Telephone Company permission to bring suit against the State of Texas.

The resolution was read second time and was adopted.

**House Concurrent Resolution 129**

On motion of Senator Lock, and by unanimous consent, the President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 129, Granting four (4) days leave during the Christmas Holiday Season to employees of the State Hospital System as provided for other State employees.

The resolution was read and was adopted.

#### Senate Concurrent Resolution 74

Senator Wagonseller offered the following resolution:

S. C. R. No. 74, Recalling H. B. No. 808 from the House of Representatives for further consideration:

Be it resolved by the Senate, the House of Representatives concurring, that the House be requested to return H. B. 808 to the Senate.

The resolution was read.

Senator Wagonseller moved to suspend Senate Rule 44 and that S. C. R. No. 74 be considered immediately.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Kelley of Hidalgo
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Bullock	Martin
Carney	Moffett
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Tynan
Hazlewood	Wagonseller
Hudson	Weinert

#### Absent

Moore	Strauss
Nokes	

#### Absent—Excused

McDonald	Vick
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The resolution was read second time and was adopted.

#### Senate Resolution 294

Senator Corbin offered the following resolution:

Whereas, We are honored today to have in the gallery the Senior Class of the Abernathy High School of Abernathy, Texas, and

Whereas, They are accompanied by

their sponsors, Mrs. Evaughn Hackler, Mr. Morris, Mr. R. J. Veteto and A. B. Myatt; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day, and that each member of this class be furnished with a copy of this resolution.

The resolution was read and was adopted.

#### Message From the House

Hall of the House of Representatives,  
Austin, Texas,  
May 31, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 6 by vote of 79 yeas, 51 nays and 1 present not voting.

S. C. R. No. 68, In memory of Clarence K. De Busk.

S. C. R. No. 69, Appointing joint legislative committee of five members of each House to make necessary preparations for address of General MacArthur in Austin on June 13, 1951.

S. C. R. No. 70, Requesting return of S. B. No. 231 from Governor's office.

S. C. R. No. 71, Requesting the Governor to return Senate Bill No. 435 to the Senate so that the caption may be corrected.

H. C. R. No. 159, Suspending the Joint Rules so that the House may take up and consider House Bill No. 666 on Senate Bill Day.

The House has concurred in Senate amendments to House Bill No. 454 by a vote of 115 yeas and 0 nays.

H. C. R. No. 155, Memorializing Congress and other necessary agencies to not cut the production of steel which may be used for the production of petroleum.

The House has concurred in Senate amendments to House Bill No. 796 by vote of 112 yeas, 0 nays.

S. B. No. 339, A bill to be entitled "An Act relating to consumer financing and fixing the charges that may be made in connection therewith; providing for discount; authorizing the issuance and sale of investment certificates; providing for supervision by the Department of Banking; specifying what corporations may qualify; and declaring an emergency."

(With amendments)

S. C. R. No. 73, Requesting Governor to return S. B. No. 409 to the Senate.

S. C. R. No. 74, Requesting House to return H. B. No. 808 to the Senate.

H. C. R. No. 161, Authorizing the Board of Regents of the Texas State Teachers Colleges to accept title to the above described tracts of land for the use and benefit of the East Texas State Teachers College.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Executive Session

On motion of Senator Lane, and by unanimous consent, the Senate agreed to hold an Executive Session at 11:01 o'clock a. m. today.

Accordingly the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the Secretary informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Chief Justice of the Court of Civil Appeals, Second Supreme Judicial District, to fill the unexpired term of Judge Atwood McDonald, resigned, effective June 1, 1951:

Earl P. Hall of Henrietta, Clay County.

To be Associate Justice of the Court of Civil Appeals, Second District, to fill unexpired term of Judge Earl P. Hall:

Thomas J. Renfro of Fort Worth, Tarrant County.

#### In Legislative Session

The President called the Senate to order as in Legislative Session at 11:09 o'clock a. m. today.

#### Motion To Place House Bill 505 on Second Reading

Senator Carney asked unanimous consent to suspend the regular order of business and that H. B. No. 505 be laid out for consideration at this time.

There was objection.

Senator Carney then moved to suspend the regular order of business and that H. B. No. 505 be laid out for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the members present):

#### Yeas—15

Aikin	Lock
Bell	Moore
Bracewell	Nokes
Carney	Parkhouse
Carter	Phillips
Colson	Shofner
Hazlewood	Wagonseller
Kelly of Tarrant	

#### Nays—10

Ashley	Lane
Corbin	Martin
Hardeman	Strauss
Hudson	Tynan
Kelley of Hidalgo	Weinert

#### Absent

Moffett	Russell
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#### Paired

Senator Fuller (Present), who would vote yea, with Senator Vick (Absent) who would vote nay.

Senator Bullock (Present), who would vote yea, with Senator McDonald (Absent), who would vote nay.

#### Request of House Granted on House Bill 190

On motion of Senator Bell, and by unanimous consent, the request of the House for a Conference Committee on H. B. No. 190 was granted.

Accordingly, the President announced the appointment of the fol-

lowing conferees on the part of the Senate on the bill:

Senators Bell, Russell, Hardeman, Bullock and Ashley.

(President pro tempore in Chair)

**Resolutions Signed**

The President pro tempore signed in the present of the Senate, after the captions had been read, the following enrolled resolutions:

S. C. R. No. 70, Recalling S. B. No. 231 from the Governor for further consideration.

S. C. R. No. 71, Recalling S. B. No. 435 from the Governor and instructing the Enrolling Clerk to amend the caption.

**Senate Resolution 295**

Senator Tynan offered the following resolution:

Whereas, We are honored today to have in the gallery the graduation class of Immaculate Heart Academy of San Antonio, Texas, accompanied by their teachers, Sister Agnes and Sister Hildegard; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

(President in Chair.)

**Committee Substitute House Joint Resolution 6 on Third Reading**

The President laid C. S. H. J. R. No. 6 before the Senate as unfinished business on its third reading and final passage (the bill having been read third time on Wednesday, May 23, 1951, with an amendment by Senator Russell pending and again laid before the Senate on Wednesday, May 30, 1951).

Question—Shall the amendment by Senator Russell be adopted?

Pending discussion of the amendment by Senator Kelly of Tarrant, Senator Hardeman moved the pre-

vious question on the pending amendment and the resolution. The motion was duly seconded.

The previous question was ordered by the following vote:

**Yeas—14**

Bullock	Kelley of Hidalgo
Carney	Lane
Carter	Lock
Colson	Moffett
Corbin	Moore
Fuller	Russell
Hardeman	Shofner

**Nays—12**

Aikin	Kelly of Tarrant
Ashley	Martin
Bell	Parkhouse
Bracewell	Tynan
Hazlewood	Wagonseller
Hudson	Weinert

**Absent**

Nokes	Strauss
Phillips	

**Absent—Excused**

McDonald	Vick
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Question recurring on the amendment by Senator Russell, it was adopted by the following vote:

**Yeas—20**

Aikin	Lane
Bell	Lock
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Kelley of Hidalgo	Wagonseller

**Nays—9**

Ashley	Martin
Bracewell	Parkhouse
Hazlewood	Tynan
Hudson	Weinert
Kelly of Tarrant	

**Absent—Excused**

McDonald	Vick
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H. J. R. No. 6 was finally passed by the following vote:

**Yeas—23**

Aikin	Carney
Bell	Carter
Bullock	Colson

Corbin	Moore
Fuller	Nokes
Hardeman	Phillips
Kelley of Hidalgo	Russell
Lane	Shofner
Lock	Strauss
Martin	Tynan
McDonald	Wagonseller
Moffett	

## Nays—7

Ashley	Kelly of Tarrant
Bracewell	Parkhouse
Hazlewood	Weinert
Hudson	

## Absent—Excused

Vick

## Reason for Vote on House Joint Resolution 6

I vote "no" on this resolution for the reason that the State of Texas has led the nation for many years on the percentage of people on our pension rolls.

According to the Department of Public Welfare, there are thousands of pensioners who own 200-acre homesteads or city homesteads of the value of thousands of dollars, now on the pension rolls under our liberalized set-up. These thousands are receiving money which could go to the less fortunate on the pension rolls under a lien amendment.

I do not think the owner of a 200-acre homestead should be refused a pension, but I cannot see why such pensioner would object to giving the State of Texas a lien on his property in order that the pension fund may be kept up at a higher level for those pensioners who are homeless and without funds or property of any kind.

The way the matter now stands, the fortunate pension recipients who have these 200-acre country homesteads or \$10,000 city homes can show a greater need than the destitute pensioners, with the result that the more fortunate property-owning pension recipients receive higher grants than the destitute pension recipient.

Texas has the most liberalized pension set-up in America, which is evidenced by the fact that we have so long led the entire United States by the proportionate number of pensioners on the rolls.

I do not believe any needy pension recipient should receive less than \$60 per month and, furthermore, I do not think there should ever be any

ceiling placed on need, such as this resolution provides. No ceiling would ever be necessary if we had proper restrictions which would tend to keep those off the rolls who do not need the pensions in the first place.

This resolution, as it was passed today, will operate so as to give the fortunate more and the needy less, and I cannot understand why this Legislature would want to continue the actually needy persons on a starvation pension by taking their money and giving it to pensioners with 200-acre homesteads. The actually needy people on the pension rolls cannot hope for a livable pension as long as we continue in existence our present policy.

GRADY HAZLEWOOD

## House Bill 497 on Second Reading

On motion of Senator Carney, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 497, A bill to be entitled "An Act making a supplemental appropriation for the Fire Insurance Division of the Board of Insurance Commissioners, and declaring an emergency."

The bill was read second time and passed to third reading.

## House Bill 497 on Third Reading

Senator Carney moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 497 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Kelly of Tarrant
Ashley	Martin
Bell	Moffett
Bracewell	Moore
Bullock	Nokes
Carney	Parkhouse
Carter	Phillips
Colson	Russell
Corbin	Shofner
Fuller	Strauss
Hardeman	Tynan
Hazlewood	Wagonseller
Hudson	Weinert
Kelley of Hidalgo	

**Absent**

Lane                      Lock  
 Absent—Excused  
 McDonald                Vick

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—29**

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Hudson	Wagonseller
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

**Absent—Excused**

McDonald                Vick

**House Bill 577 on Second Reading**

Senator Moore asked unanimous consent to suspend the regular order of business and that H. B. No. 577 be laid out for consideration at this time.

There was objection.

Senator Moore then moved to suspend the regular order of business and that H. B. No. 577 be laid out for consideration at this time.

The motion prevailed by the following vote:

**Yeas—23**

Aikin	Lane
Ashley	Lock
Bell	Moffett
Bracewell	Moore
Bullock	Parkhouse
Carney	Russell
Colson	Shofner
Corbin	Strauss
Fuller	Tynan
Hardeman	Wagonseller
Hazlewood	Weinert
Kelly of Tarrant	

**Nays—5**

Carter                      Nokes  
 Hudson                    Phillips  
 Martin

**Absent**

Kelley of Hidalgo

**Absent—Excused**

McDonald                Vick

The President laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 577, A bill to be entitled "An Act to amend Section 2a of Senate Bill 228, Chapter 66, Acts of the Fiftieth Legislature, Regular Session, 1947, so as to extend the provisions of said Senate Bill 228 authorizing the governing boards of the various State institutions of higher education to collect certain fees from students to cover the costs of student services for a period of five (5) years; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Question—Shall H. B. No. 577 be passed to third reading?

**Recess**

On motion of Senator Moffett, the Senate at 12:22 o'clock p. m. took recess until 3:00 o'clock p. m. today.

**After Recess**

The President called the Senate to order at 3:00 o'clock p. m. today.

**Leaves of Absence**

Senator Hardeman was granted leave of absence for the remainder of the day on account of important business on motion of Senator Bell.

Senator Aikin was granted leave of absence for the remainder of the day on account of important business on motion of Senator Bell.

**Message From the House**

Hall of the House of Representatives,  
 Austin, Texas,  
 May 31, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

S. B. No. 240, A bill to be entitled "An Act amending the Motor Fuel Tax Law, the same being Article XVII of Chapter 184, Acts Forty-seventh Legislature, Regular Session, 1941, as amended, by adding a new section thereto to be known as Section 13½, so as to provide that licensed retail dealers in motor fuel shall receive a refund of two per cent (2%) of State taxes imposed on motor fuel sold by them to cover losses from taxes paid on shrinkage, evaporation and other losses and expenses incurred in collecting the tax for the State; to provide for the licensing of retail dealers of motor fuel; to provide a method of computation and payment of such refund and making an appropriation; containing a savings clause, and providing for an emergency."

The House has concurred in Senate amendments to House Bill No. 812 by vote of 115 yeas, 0 nays.

H. C. R. No. 151, Granting permission to James E. Ellis to sue the State of Texas.

H. C. R. No. 156, Granting permission to H. C. Womack, his heirs, executors, administrators and legal representatives (either one or more of them) to sue the State of Texas.

H. C. R. No. 157, Authorizing the House and Senate Committees on Contingent Expense to have printed at the lowest possible cost to the State, five thousand (5,000) copies of the Constitution of the State of Texas, as last amended, with Index thereto, and that they deliver, or cause same to be delivered to the State Library for distribution to the citizens of Texas who send requests for single copies thereof.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Senate Bill 339 With House Amendments

Senator Strauss called S. B. No. 339 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Strauss moved that the Senate concur in the House amendments.

On motion of Senator Strauss, and by unanimous consent, the Enrolling Clerk of the Senate was authorized to properly number the sections of S. B. No. 339.

The motion to concur in the House amendments prevailed by the following vote:

#### Yeas—21

Ashley	Lane
Bell	Lock
Bullock	Moore
Carney	Parkhouse
Carter	Phillips
Colson	Shofner
Corbin	Strauss
Fuller	Tynan
Hudson	Wagonseller
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

#### Nays—6

Bracewell	Moffett
Hazlewood	Nokes
Martin	Russell

#### Absent—Excused

Aikin	McDonald
Hardeman	Vick

#### Senate Resolution 297

Senator Moffett offered the following resolution:

Whereas, We are honored to have with us today a distinguished citizen of Wichita Falls, Texas, Mr. J. H. Allison, and

Whereas, Mr. Allison is the Vice President of the Times Publishing Company of Wichita Falls, and is visiting in the Capital City; now, therefore, be it

Resolved, That Mr. Allison be officially welcomed by the Senate of the State of Texas, and be granted the privileges of the floor for the duration of his visit.

The resolution was read and was adopted.

#### Senate Bill 285 With House Amendments

Senator Lock called S. B. No. 285 from the President's table for consideration of the House amendments to the bill.



The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Lock moved that the Senate concur in the House amendments.

The motion prevailed.

#### Motions to Adjourn

Senator Ashley moved the Senate stand adjourned until 10:30 o'clock a. m. on Monday, June 4, 1951.

Senator Lane moved the Senate stand adjourned until 10:30 o'clock a. m. tomorrow.

Question first recurring on the motion of Senator Ashley, the motion was lost by the following vote:

#### Yeas—10

Ashley	Lock
Bracewell	Martin
Carter	Tynan
Fuller	Wagonseller
Hudson	Weinert

#### Nays—15

Bell	Moore
Bullock	Nokes
Colson	Parkhouse
Corbin	Phillips
Hazlewood	Russell
Kelly of Tarrant	Shofner
Lane	Strauss
Moffett	

#### Absent

Carney	Kelley of Hidalgo
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#### Absent—Excused

Aikin	McDonald
Hardeman	Vick

Question next recurring on the motion of Senator Lane, the motion was lost by the following vote:

#### Yeas—10

Bell	Moore
Bullock	Nokes
Hazlewood	Russell
Lane	Shofner
Moffett	Weinert

#### Nays—15

Ashley	Hudson
Bracewell	Kelly of Tarrant
Carter	Lock
Colson	Martin
Corbin	Parkhouse
Fuller	Phillips

Strauss  
Tynan

Wagonseller

#### Absent

Carney	Kelley of Hidalgo
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#### Absent—Excused

Aikin	McDonald
Hardeman	Vick

#### Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

S. C. R. No. 74, Recalling H. B. No. 808 from the House for further consideration.

S. B. No. 289, A bill to be entitled "An Act providing for and regulating the admission as evidence into the courts of the State of Texas of any official written statement, certificate, record, return, or report, or copies thereof; and declaring an emergency."

H. C. R. No. 144, Recalling H. B. No. 737 from the Governor.

H. C. R. No. 152, Relative to the retirement of Mr. Herbert Elmo Faubion.

H. C. R. No. 143, Instructing the Enrolling Clerk of the House to make certain corrections in House Bill No. 246.

H. B. No. 603, A bill to be entitled "An Act authorizing agreements between the State of Texas and the Federal Government to extend covering under the Federal Social Security Program to State employees, employees of political subdivisions of the State, and employees of joint interstate agencies of Texas now or hereafter eligible under applicable Federal laws; designating the State Department of Public Welfare to administer this Act; etc.; and declaring an emergency."

H. B. No. 703, A bill to be entitled "An Act amending Subsection 1 of Section 5 of Senate Bill 47, Chapter 470, Acts of the Forty-fifth Legislature, Regular Session, 1937, as amended, codified as Subsection 1 of Section 5 of Article 2922-1 of Vernon's Texas Civil Statutes, so as to provide for employment of retired members under the Teacher Retirement System of Texas; providing for

the suspension of benefits during said employment; providing for resumption of benefits upon discontinuing employment on same basis of original retirement; providing that during time of employment of retired member no deductions shall be made from his salary; providing for membership annuity payments and prior service annuity payments of said retired member during employment to be transferred to the State Membership Accumulation Fund of Teacher Retirement System of Texas; and declaring an emergency."

H. B. No. 246, A bill to be entitled "An Act repealing Article 2763 of the Revised Civil Statutes of Texas, 1925, relating to independent school districts having fewer than one hundred and fifty (150) scholastics according to the last preceding Federal census; providing that all such independent school districts be placed under and made subject to the general laws applicable to independent school districts having more than one hundred and fifty (150) scholastics; and declaring an emergency."

H. B. No. 58, A bill to be entitled "An Act amending Article 2371 of the Revised Civil Statutes of Texas, 1925, relating to maintenance of rest rooms for women in courthouses, so as to provide that the Commissioners Court of each county may maintain rest rooms for women in the courthouse, appoint a matron in cooperation with civic organizations for the maintenance of the rest room and expend county funds for the maintenance thereof not to exceed One Hundred Dollars (\$100) per month, including the salary paid by the county to the matron; and declaring an emergency."

#### House Resolutions on First Reading

The following resolutions received from the House were read first time and were referred to the committees indicated:

H. C. R. No. 156—To Committee on State Affairs.

H. C. R. No. 151—To Committee on State Affairs.

#### Senate Resolution 298

Senator Corbin offered the following resolution:

Whereas, We are honored today to have in the gallery the Seniors of

Forsan High School, accompanied by Mr. Joe Holladay and Miss Betty Rose, their sponsors; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

#### House Bill 577 on Second Reading

The Senate resumed consideration of the pending business, same being H. B. No. 577 on its second reading and passage to third reading.

Question—Shall H. B. No. 577 be passed to third reading?

Senator Phillips offered the following amendment to the bill:

Amend H. B. No. 577, Sec. 2, by adding the following words after Sec. 2 "this fee shall be permissive and not in any instance mandatory."

(Pending discussion of the amendment by Senator Phillips, Senator Bracewell occupied the chair temporarily.)

(President Pro Tempore in Chair)

Question—Shall the amendment by Senator Phillips be adopted?

#### Bill Signed

The President pro tempore signed in the presence of the Senate, after the caption had been read, the following enrolled bill:

S. B. No. 339, A bill to be entitled "An Act relating to consumer financing and fixing the charges that may be made in connection therewith; providing for discount; authorizing the issuance and sale of investment certificate; providing for supervision by the Department of Banking; specifying what corporations may qualify; and declaring an emergency."

(President in Chair)

#### Motions to Adjourn

Senator Martin moved the Senate stand adjourned until 10:30 o'clock a. m. on Monday, June 4, 1951.

Senator Lane moved the Senate stand adjourned until 10:30 o'clock a. m. tomorrow.

Question first recurring on the motion by Senator Martin, it was lost by the following vote:

## Yeas—10

Carter	Martin
Fuller	Parkhouse
Hudson	Phillips
Kelly of Tarrant	Strauss
Lock	Tynan

## Nays—11

Ashley	Lane
Bell	Moore
Bullock	Nokes
Colson	Russell
Corbin	Shofner
Hazlewood	

## Absent

Bracewell	Moffett
Carney	Wagonseller
Kelley of Hidalgo	Weinert

## Absent—Excused

Aikin	McDonald
Hardeman	Vick

Question next recurring on the motion by Senator Lane, it was lost by the following vote:

## Yeas—8

Ashley	Lane
Bell	Nokes
Bullock	Russell
Hazlewood	Shofner

## Nays—13

Carter	Martin
Colson	Moore
Corbin	Parkhouse
Fuller	Phillips
Hudson	Strauss
Kelly of Tarrant	Tynan
Lock	

## Absent

Bracewell	Moffett
Carney	Wagonseller
Kelley of Hidalgo	Weinert

## Absent—Excused

Aikin	McDonald
Hardeman	Vick

## Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled resolutions:

S. C. R. No. 73, requesting the Governor to return S. B. No. 409 to the Senate.

S. C. R. No. 69, Appointing joint Legislature committee to make arrangements for address of General Douglas MacArthur.

## Message From the Governor

The President laid before the Senate and directed the Secretary to read the following message received from the Governor:

Austin, Texas,  
May 31, 1951.

To the Members of the Fifty-second Legislature:

Complying with request contained in Senate Concurrent Resolution No. 71, I return herewith Senate Bill No. 435.

Complying with request contained in Senate Concurrent Resolution No. 70, I return herewith Senate Bill No. 231.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

## Adjournment

On motion of Senator Phillips, the Senate at 4:47 o'clock p. m. adjourned until 10:00 o'clock a. m. on Monday, June 4, 1951.

**In Memory of**  
**Dr. Marion Francis Webster**

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Senator Parkhouse offered the following resolution:

(Senate Resolution 296)

Whereas, Our Almighty God called from his earthly existence Dr. Marion Francis Webster at the age of only 52 years; and

Whereas, Dr. Webster was a leading citizen of Dallas and a leader in his chosen profession of dentistry having been installed as president of the Dallas County Dental Society only a few days before his untimely passing; and

Whereas, Dr. Webster was born in a small village in the State of Illinois on September 19, 1898, and spend his youth in Cleo Springs, Oklahoma, and in 1920, moved to Dallas and attended Baylor University College of Dentistry and practiced his profession as a specialist in prosthetic dentistry until his death; and

Whereas, He had served as a member of the Texas State Board of Dental Examiners for over nine years before resigning, and he had served as president and vice president of such Board during his service as a member thereof; and

Whereas, Dr. Marion Francis Webster was a member of many professional societies, a director of the Highland Park State Bank and the International Fidelity Insurance Company, and a member of the Highland Park Methodist Church of Dallas, Texas, the Scottish Rite, and was a 32nd degree Mason; and

Whereas, He served his country, his state, and community in military service, in private life, and in his official capacities with honor, distinction, and unselfishness; and

Whereas, He is survived by his beloved wife, the former Natalee Simons, to whom he was married on December 22, 1927. He is also survived by two brothers, Dewey Webster of Fairview, Oklahoma, and Delbert Webster of Cherokee, Oklahoma, and four sisters, Mrs. Nellie Tucker, Mrs. James Shaffer, and Mrs. Carrie Doctor, all of Alva, Oklahoma, and Mrs. Marguerite Clow of Enid, Oklahoma; and

Whereas, It is the desire of the Senate of the State of Texas to attempt to pay honor to this distinguished gentleman and to join with his family in mourning his untimely passing; now, therefore, be it

Resolved, By the Senate of the State of Texas, that a page in the Senate Journal be set aside for this resolution, and when the Senate adjourns today, it do so in memory of Dr. Marion Francis Webster.

**PARKHOUSE**

The resolution was read and was adopted by a rising vote of the Senate.